

FILED
RICHARD W. NAGEL
CLERK OF COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

2023 SEP 27 PM 3:05

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

UNITED STATES OF AMERICA,

CASE NO. 2:23-CR-152

Plaintiff,

JUDGE SARAH D. MORRISON

vs.

SUPERSEDING INDICTMENT

FAISAL M. DAROD (1),

18 U.S.C. § 1951(a)

and

18 U.S.C. § 2113(a)

ADEN A. JAMA (2),

18 U.S.C. § 924(c)(1)(A)(i)

Defendants.

18 U.S.C. § 2(a)

18 U.S.C. § 3

FORFEITURE ALLEGATIONS

THE GRAND JURY CHARGES:

COUNT 1
(Hobbs Act Robbery)

1. At all times material to this Superseding Indictment, the GameStop, located at 1720 Hilliard-Rome Road, Hilliard, Ohio, was engaged in commercial activities in and affecting interstate and foreign commerce, that is, the GameStop intended to purchase and did purchase items made by manufacturers and producers outside the State of Ohio and the United States, which items moved and were to move in interstate and foreign commerce from outside the State of Ohio and the United States for use and sale by the GameStop within the State of Ohio.

2. On or about June 21, 2023, in the Southern District of Ohio, the defendant, **FAISAL M. DAROD**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he unlawfully obstructed, delayed, and affected commerce, and the movement of articles in such commerce, by committing robbery, in that ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” unlawfully took and obtained multiple Sony PlayStation Gaming Consoles belonging to the GameStop, from the person of and in the presence of the employees of the GameStop, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons.

In violation of 18 U.S.C. §§ 1951(a) and 2(a).

COUNT 2
(Hobbs Act Robbery)

3. At all times material to this Superseding Indictment, the Westerville Auto Group, a/k/a “the Auto Gallery,” located at 5309 Westerville Road, Minerva Park, Ohio, was engaged in commercial activities in and affecting interstate and foreign commerce, that is, the Westerville Auto Group intended to purchase and did purchase items made by manufacturers and producers outside the State of Ohio and the United States, which items moved and were to move in interstate and foreign commerce from outside the State of Ohio and the United States for use and sale by the Westerville Auto Group within the State of Ohio.

4. On or about July 3, 2023, in the Southern District of Ohio, the defendant, **FAISAL M. DAROD**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he unlawfully obstructed, delayed, and affected commerce, and the movement of articles in such commerce, by committing robbery, in that ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” unlawfully took and obtained a 2016 Chevrolet Corvette Stingray, in the presence of the owners of the Westerville Auto Group, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons.

In violation of 18 U.S.C. §§ 1951(a) and 2(a).

COUNT 3

(Use of a Firearm During and in Relation to a Crime of Violence)

5. On or about July 3, 2023, in the Southern District of Ohio, the defendant, **FAISAL M. DAROD**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he knowingly and intentionally used and carried a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, the robbery of the Westerville Auto Group, a/k/a “the Auto Gallery,” as charged in Count 2 of this Superseding Indictment, the allegations of which are incorporated here by reference.

In violation of 18 U.S.C. §§ 924(c)(1)(A)(i) and 2(a).

COUNT 4
(Bank Robbery)

6. On or about July 5, 2023, in the Southern District of Ohio, the defendant, **FAISAL M. DAROD**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he, by force, violence, and intimidation, took from the person of and in the presence of employees of the Fifth Third Bank Branch, located at 1669 Fishinger Road, Upper Arlington, Ohio, money in the amount of \$75,436.00, more or less, belonging to and in the care, custody, control, management, and possession of the said Fifth Third Bank Branch, whose deposits were then insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. §§ 2113(a) and 2(a).

COUNT 5
(Use of a Firearm During and in Relation to a Crime of Violence)

7. On or about July 5, 2023, in the Southern District of Ohio, the defendant, **FAISAL M. DAROD**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he knowingly and intentionally used and carried a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, the robbery of the Fifth Third Bank (Upper Arlington, Ohio), as charged in Count 4 of this Superseding Indictment, the allegations of which are incorporated here by reference.

In violation of 18 U.S.C. §§ 924(c)(1)(A)(i) and 2(a).

COUNT 6
(Accessory After the Fact to Bank Robbery)

8. On or about July 5, 2023, in the Southern District of Ohio, the defendant, **ADEN A. JAMA**, knowing that an offense against the United States had been committed, that is, the robbery of the Fifth Third Bank (Upper Arlington, Ohio), as charged in Count 4 of this Superseding Indictment, the allegations of which are incorporated here by reference, received, relieved, comforted, and assisted the offenders—namely, the defendant, FAISAL M. DAROD (charged in this Superseding Indictment but not in this count), and ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased—in order to hinder and prevent the offenders’ apprehension, trial, and punishment.

In violation of 18 U.S.C. § 3.

COUNT 7
(Hobbs Act Robbery)

9. At all times material to this Superseding Indictment, Byers Imports, located at 409 North Hamilton Road, Whitehall, Ohio, was engaged in commercial activities in and affecting interstate and foreign commerce, that is, Byers Imports intended to purchase and did purchase items made by manufacturers and producers outside the State of Ohio and the United States, which items moved and were to move in interstate and foreign commerce from outside the State of Ohio and the United States for use and sale by Byers Imports within the State of Ohio.

10. On or about July 6, 2023, in the Southern District of Ohio, the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he unlawfully obstructed, delayed, and affected commerce, and the movement of articles in such commerce, by committing robbery, in that ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” unlawfully took and obtained a 2020 Porsche Cayenne SUV, in the presence of the employees of Byers Imports, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons.

In violation of 18 U.S.C. §§ 1951(a) and 2(a).

COUNT 8

(Use of a Firearm During and in Relation to a Crime of Violence)

11. On or about July 6, 2023, in the Southern District of Ohio, the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he knowingly and intentionally used and carried a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, the robbery of Byers Imports, as charged in Count 7 of this Superseding Indictment, the allegations of which are incorporated here by reference.

In violation of 18 U.S.C. §§ 924(c)(1)(A)(i) and 2(a).

COUNT 9
(Bank Robbery)

12. On or about July 6, 2023, in the Southern District of Ohio, the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he, by force, violence, and intimidation, took from the person of and in the presence of employees of the Fifth Third Bank Branch, located at 2455 Hilliard-Rome Road, Hilliard, Ohio, money in the amount of \$85,236.00, more or less, belonging to and in the care, custody, control, management, and possession of the said Fifth Third Bank Branch, whose deposits were then insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. §§ 2113(a) and 2(a).

COUNT 10
(Use of a Firearm During and in Relation to a Crime of Violence)

13. On or about July 6, 2023, in the Southern District of Ohio, the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, knowingly and intentionally aided and abetted ABDISAMAD ISMAIL, a/k/a “GTA,” a/k/a “Grand Theft Auto,” a person known to the Grand Jury and now deceased, as he knowingly and intentionally used and carried a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, the robbery of the Fifth Third Bank (Hilliard, Ohio), as charged in Count 9 of this Superseding Indictment, the allegations of which are incorporated here by reference.

In violation of 18 U.S.C. §§ 924(c)(1)(A)(i) and 2(a).

FORFEITURE ALLEGATION A

14. The allegations of the Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures to the United States of America under 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

15. Upon conviction of any of the offenses alleged in the Superseding Indictment in violation of 18 U.S.C. 2113(a) (Bank Robbery), the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses.

16. Substitute Assets: If the forfeitable property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States of America, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, up to the value of the forfeitable property.

Forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION B

17. The allegations of the Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures to the United States of America under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

18. Upon conviction of any of the offenses alleged in this Superseding Indictment, the defendants, **FAISAL M. DAROD** and **ADEN A. JAMA**, shall forfeit to the United States any firearms or ammunition involved or used in such offense(s), including, but not limited to the following: a Glock, Model 17, 9mm handgun (S/N: ZLB578).

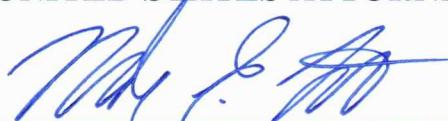
Forfeiture pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

s/Foreperson

Foreperson

S

KENNETH L. PARKER
UNITED STATES ATTORNEY



NOAH R. LITTON (0090479)
Assistant United States Attorney